

CASE AUDIT SUMMARIES

CHAPTER 12

In order to better inform the public of how the IPA functions, the following cases have been selected in order to illustrate the auditing process. These are actual cases investigated by the PSCU and reviewed by the IPA. These cases have been selected not because they are most representative of the actions taken by the IPA and the PSCU, but because they illustrate the different options and courses of action the IPA can pursue. The locations and names of individuals involved have been intentionally left out in order to preserve their privacy.

CASE #1 **IPA CONFERS WITH THE PSCU**

The complainant alleged that he was handcuffed and shackled by police then taken to the hospital for having ingested illegal drugs. The complainant stated that while outside the hospital, the officer

slammed him on the ground then dragged him inside. The complainant stated that two hospital employees witnessed the incident, but that the PSCU failed to contact them. The IPA contacted the PSCU investigator handling the case and was informed that the complainant could not provide names or any identifying information about the witnesses. The IPA concurred that attempting to search for the possible witnesses would be fruitless since there was little information to identify the witnesses and prove the allegations made by the complainant.

CASE #2 **IPA REQUESTS AUDIO TAPE RECORDING OF THE PSCU's COMPLAINANT INTERVIEW**

The complainant alleged that he was pulled over by the police and cited for a vehicle code violation. The complainant called the IPA after his case had been closed by

the PSCU. The complainant stated that his complaint regarding the officer having threatened him with a gun was not investigated. The IPA reviewed the file and requested the audio taped interview from the PSCU, where the complainant is heard making his complaint. After review of the audio tapes, the IPA determined that all of the complainant's allegations were investigated and resolved properly. The complainant never made allegations regarding being threatened with a gun when he filed his complaint.

CASE #3

IPA REQUESTS POLICE REPORT

The complainant stated that while at a relative's house she was involved in a physical altercation with a relative. The complainant alleged that an on duty officer was present and observed the incident. The officer broke up the fight but failed to take a police

report despite the complainant's request to do so. The PSCU closed the case and found that no officer misconduct had occurred. A clear explanation of the finding however, was not included in the case file. The IPA conferred with the PSCU investigator and was informed that a report from a police captain who was familiar with the complaint had not been forwarded to the IPA. After obtaining and reviewing the captain's report, the IPA was satisfied that in fact the officer had written a report on the incident and that the case was properly resolved by the PSCU.

CASE #4

INVESTIGATION IS REOPENED AT THE REQUEST OF THE IPA

The complainant alleged that unnecessary force was used during the arrest of her husband and a friend. The complainant stated that the police officers hit them with batons without cause.

The complainant stated that her husband's arm was broken from the baton strikes. The PSCU closed the case with an Exonerated Finding after interviewing the subject officers. The IPA reviewed the case and requested that the PSCU re-open the investigation so that eye-witnesses could be located and interviewed. The case was re-opened and witnesses were interviewed. The IPA was then satisfied with the quality of the investigation and findings.

CASE #5 **IPA ATTENDS OFFICER** **INTERVIEW**

The complainant alleged that officers used unnecessary force while arresting a relative for fighting with a neighbor. As part of the investigation on this case, the PSCU interviewed the subject and witness officers. The IPA attended the interviews of some of the officers and provided

questions for the investigator to ask. The allegations against the officers were later found to be Exonerated. By attending the officer's interview, the IPA was in a better position to evaluate the complaint and its investigation.

CASE #6 **COURT PRELIMINARY HEARING** **TRANSCRIPT REQUESTED BY** **THE IPA**

The complainant was arrested and prosecuted for robbery. The complainant alleged that he was not responsible for the robbery and that officers used unnecessary force while placing him under arrest. The IPA requested the court preliminary transcripts. By reviewing the transcripts of the sworn testimony, the IPA was better able to determine the validity of the allegations and the Exonerated findings made by the PSCU.

